

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

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TIANNA KELLER,

Plaintiff,

v.

MEDICREDIT, INC.,

Defendant.

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**NOTICE OF REMOVAL**

Defendant Medicredit, Inc. ("Defendant"), pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, hereby removes this action which has been pending as Cause No. 18SL-AC00540 in the Circuit Court of St. Louis County, Missouri, to the United States District Court for the Eastern District of Missouri. In support of this Notice of Removal, Defendant states as follows:

**I. Procedural Removal Requirements Are Satisfied**

1. Plaintiff Tianna Keller ("Plaintiff") commenced an action by filing a Petition ("Complaint") on January 8, 2018 in the Circuit Court of St. Louis County, Missouri, Styled Tianna Keller v. Medicredit, Inc., Case No. 18SL-AC00540 (the "State Court Action").

2. Medicredit, Inc.'s registered agent was served with a copy of the Petition and summons on January 16, 2018. Thirty days have not yet expired since this action became removable to this Court. Thus, this matter is timely removed. 28 U.S.C. § 1446(b).

3. Pursuant to 28 U.S.C. § 1446(a), the complete file of the Circuit Court of St. Louis County, Missouri, in this matter is attached to this Notice as **Exhibit A**.

4. Concurrent with the filing of this Notice, Defendant is serving this Notice on Plaintiff's counsel and filing a copy of the Notice with the Circuit Court of St. Louis County, Missouri.

5. A true and correct copy of the Complaint is attached and contained in Exhibit A.

6. The pleadings and papers filed in this litigation are limited to the Complaint and documents relating to service on Defendant.

7. Pursuant to the Federal Rules of Civil Procedure, Defendant is contemporaneously filing a completed Civil Cover Sheet, an *Original Filing Form*, and a Disclosure of Organizational Interests Certificate.

8. The United States District Court for the Eastern District of Missouri embraces the county in which the State Court Action is now pending. Therefore, venue is proper for this action pursuant to 28 U.S.C. § 1446(a).

9. By filing a Notice of Removal, Defendant does not waive any of its rights or defenses.

## **II. This Court Has Federal Question Jurisdiction Over Plaintiff's Claims**

10. Plaintiff alleges that Defendant violated the federal Fair Debt Collection Practices Act, 15 U.S.C. §1692 ("FDCPA"). *See* Ex. A, Complaint at ¶¶ 32-33.

11. This Court has original jurisdiction over this matter under 28 U.S.C. § 1331 because the claim alleging a violation of the FDCPA implicates this Court's federal question jurisdiction. *See* Ex. A, Complaint, generally.

12. Because this Court has original jurisdiction over Plaintiff's FDCPA claim, as set forth in Count I of the Complaint, this case is removable by Defendant. 28 U.S.C. §§ 1441(a) and 1441(c).

13. Defendant is the only defendant named in the Complaint and thus, Defendant need not confer or obtain consent from any additional parties in order to properly effectual removal of this case.

WHEREFORE, all of the requirements of 28 U.S.C. §§ 1331, 1441(a), and 1446 have been satisfied, and Notice is hereby given that this action is removed from the Circuit Court of St. Louis County, Missouri to the United States District Court for the Eastern District of Missouri.

**Respectfully submitted,**

/s/ John D. Ryan

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*Attorneys for Defendant Medcredit Inc.*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 13<sup>th</sup> day of February, 2018, the foregoing document was electronically filed with the Clerk of the Court, to be served by the Court's electronic notification system upon all attorneys of record.

/s/ John D. Ryan